



APPLICATION FOR DISCLAIMER OF INTEREST

GENERAL INFORMATION

The State of Idaho owns the beds and banks of all navigable waters below the Ordinary High Water Mark (OHWM). These sovereign lands were acquired by virtue of the Equal Footing Doctrine and are administered by the Idaho Department of Lands (IDL) for the benefit of the public in accordance with the Public Trust Doctrine.

If a river or lake has moved through accretion or reliction and the waterbed has become upland, a disclaimer of interest is granted upon request by the adjacent landowner to provide clear title to their land. This means that the state is disclaiming any underlying interest in this portion of former state owned waterbed.

PROCEDURE

The procedure for acquiring a disclaimer of interest is as follows:

1. Contact the appropriate IDL Supervisory Area Office to determine if the subject property qualifies for issuance of a disclaimer.
2. If the property qualifies, the subject property will require a legal land survey. An IDL representative will visit the site with the applicant and/or the applicant's land surveyor, to establish the OHWM.
3. In cases where the present river has moved onto lands outside the General Land Office (GLO) meander lines, the IDL will require the requesting party to disclaim to the State that portion of the present riverbed.
4. IDL will require the applicant to grant a 25-foot public use right-of-way easement along and adjacent to the existing OHWM of rivers. This serves to protect the public trust values associated with rivers and the disclaimed lands, by providing river access to the public.
5. The surveyor will submit a record of survey and legal descriptions, which shows the areas to be disclaimed: 1) from the state to the property owner; 2) if applicable, from the property owner to the state; and 3) the 25-foot wide public use right of way easement. The record of survey must show the present OHWM, as identified by IDL, in relation to the original GLO meander line.

APPLICATION

When the record of survey has been completed, submit the following documents to the Department of Lands Supervisory Area Office:

- 1) Complete and sign this application for Disclaimer of Interest including the exact name(s) and address you wish to appear on the disclaimer.

- 2) A full size copy of the record of survey and a copy of the legal descriptions. A digital copy of each will also need to be provided, the legal descriptions as an MS Word file, and a .pdf of the record of survey.
- 3) Tax payment history.
- 4) Proof of ownership of the upland property adjacent to the area to be disclaimed. A copy of the property deed is preferable.
- 5) The applicant is responsible for coordinating with adjoining land owners regarding the disclaimer request.
- 6) Any additional documentation needed to prove ownership and/or legal authorization to sign the disclaimer application and related documents.

This is not to be considered an exhaustive list of all the information the Idaho Department of Lands may require. Additional information may be required as needed on a case by case basis.

The fee for the disclaimer is the actual cost of the field inspection and preparation of the required documents but not less than \$600. A non-refundable \$300 deposit, made payable to the Idaho Department of Lands, is required with the application. The applicant will be billed for the remainder, following approval by the State Board of Land Commissioners, and before the final documents are issued.

APPLICATION INFORMATION

1. NAME: _____ d/b/a: _____
2. ADDRESS: _____
CITY, STATE, ZIP CODE: _____
3. TELEPHONE: _____
4. LEGAL DESCRIPTION (Section, Township, and Range) TO THE QUARTER-QUARTER SECTION:

5. RIVER/LAKE: _____
6. COUNTY(ies): _____

I HEREBY REQUEST A DISCLAIMER OF INTEREST FROM THE STATE OF IDAHO AND ACKNOWLEDGE THAT I UNDERSTAND MY OBLIGATIONS DESCRIBED HEREIN, INCLUDING THE GRANTING OF A TWENTY-FIVE (25.00) FOOT WIDE PUBLIC USE ACCESS EASEMENT IF THE DISCLAIMER IS FOR FORMER RIVERBED.

APPLICANT(S) SIGNATURE: _____ **DATE:** _____

STATE OF IDAHO DEPARTMENT OF LANDS

DIRECTOR'S OFFICE

P.O. Box 83720
600 N. 6th St., Ste. 103
Boise ID 83720-0050
Tel No: 334-0200
FAX No: 334-2339 or 3698
George B. Bacon, Director

PRIEST LAKE AREA OFFICE

4053 Cavanaugh Bay Rd.
Coolin ID 83821
Tel No: 443-2516
FAX No: 443-2162
Mick Schanilec, Area Supervisor

PEND OREILLE LAKE AREA OFFICE

2550 Hwy. 2 West
Sandpoint ID 83864
Tel No: 263-5104
FAX No: 263-0724
Ed Robinson, Area Supervisor

KOOTENAI VALLEY AREA OFFICE

Route 4, P.O. Box 4810
(South Highway 95)
Bonners Ferry ID 83805
Tel No: 267-5577
FAX No: 267-8301
Scott Bacon, Area Supervisor

MICA AREA OFFICE

3706 Industrial Ave. South
Coeur d'Alene ID 83815
Tel No: 769-1577
FAX No: 769-1597
Michael Denney, Area Supervisor

ST. JOE AREA OFFICE

1806 Main Ave.
St. Maries ID 83861
Tel No: 254-4551
FAX No: 475-4867
Ken Ockfen, Area Supervisor

CATALDO AREA OFFICE

80 Hilltop Overpass Rd.
Kingston ID 83839
Tel No: 682-4611
FAX No: 682-2991
Bob Burke, Area Supervisor

CLEARWATER AREA OFFICE

10230 Highway 12
Orofino ID 83544
Tel No: 476-4587
FAX No: 476-7175
Bob McKnight, Area Supervisor

PONDEROSA AREA OFFICE

3130 Highway 3
Deary ID 83823
Tel No: 877-1121
FAX No: 877-1122
Sam Charles, Area Supervisor

MAGGIE CREEK AREA OFFICE

Rt. 2 Box 190
913 Third St.
Kamiah ID 83536
Tel No: 935-2141
FAX No: 935-0905
James Clapperton, Area Supervisor

CRAIG MT. AREA OFFICE

P.O. Box 68
Craigmont ID 83523
Tel No: 924-5571
FAX No: 924-5572
Jay Sila, Area Supervisor

PAYETTE LAKES AREA OFFICE

555 Deinhard Lane
McCall ID 83638
Tel No: 634-7125
FAX No: 634-5117
Sheldon Keafer, Area Supervisor

SOUTHWEST AREA OFFICE

8355 W. State St.
Boise ID 83703
Tel No: 334-3488
FAX No: 853-6372
Steve Douglas, Area Supervisor

SOUTHCENTRAL AREA OFFICE

324 South 417 East Suite 2
Jerome ID 83338
Tel No: 324-2561
FAX No: 324-2917
Tim Duffner, Area Supervisor

EASTERN IDAHO AREA OFFICE

3563 Ririe Highway
Idaho Falls ID 83401
Tel No: 525-7167
FAX No: 525-7178
Pat Brown, Area Supervisor

